REMARKS:

In the outstanding Office Action, claims 1-10 and 17-20 were rejected. Claims 19 and 20 have been amended. Claims 11-16 remain cancelled. New claims 21 and 22 have been added. Thus, claims 1-10 and 17-22 are pending and under consideration. No new matter has been added. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. §101:

Claims 19-20 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

Claims 19 and 20 are herein amended to comply with 35 U.S.C. §101. Specifically, independent claim 19 is amended to recite "a program stored in a recording medium for use by a computer based online shopping system to enable a user to search for and purchase an intended article from a number of articles". Accordingly, claims 19 and 20 recite a program stored in a recording medium for use by an online shopping system that is within the technological arts and provides a useful, concrete, tangible result.

Thus, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §102(e):

Claims 1-10 and 17-20 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application US2002/0002502 ('502).

'502 discusses displaying candidate products to a user by selecting from attribute values of products based on a random probability function, favored/disfavored products, etc.

The present invention is directed to *successively* displaying article picture data of articles in accordance with a data sending rank where article pictures similar to each other are disposed at close positions.

The Examiner compares the '502 method that displays candidate products to a user with the present invention that successively displays article picture data of articles. According to the '502 method, a user is presented with a random or predetermined selection of products (see, paragraphs 25 and 51 of '502). The selection is made randomly from a predetermined starting pattern that has a representative sampling of the products or from a combination of attribute values of the products based on a random probability function, favored/disfavored products, etc (see, paragraphs 51, 54 and 55 of '502). For example, all available vehicles or vehicles

available from a certain car dealer or manufacturer are provided to a user (see, paragraph 113 of '502). Then, the user is provided with a display of vehicles that is a random sampling of the available vehicles and the user is instructed to select one or more of the displayed vehicles for further customization of the displayed vehicles (see, FIGS. 3, 4 and corresponding text of '502). This means that the '502 method randomly displays pictures of products without, for example, accounting for similar features of products in relation to each other.

In contrast, as recited in each of the independent claims 1, 17 and 19, the present invention includes "generating article picture arrangement data in which article pictures similar to each other in the features are disposed at close positions, as search results of the article data" upon receiving an article search from a user. This enables the present invention to provide articles having similar features to be displayed close to one another, thereby allowing a user to easily navigate through search results. The '502 method does not teach or suggest, "generating article picture arrangement data in which article pictures similar to each other in the features are disposed at close positions, as search results of the article data".

The present invention also includes "sending the article picture arrangement data to a user terminal so that each article picture data is sent in accordance with the data sending rank" (see, claims 1, 17 and 19 of the present application). For example, as illustrated in FIG. 3 of the present application, when a number of pictures are to be transmitted and displayed, due to the length of time it may take to complete transfer of all the pictures, the present invention enables pictures of articles which are considered to be highly required or highly desired by a user to be preferentially transferred. The '502 method does not teach or suggest displaying each article picture data "in a receiving order" based on "the article arrangement data" sent.

It is submitted that the independent claims are patentable over '502.

For at least the above-mentioned reasons, claims depending from independent claims 1, 17 and 19 are patentably distinguishable over '502. The dependent claims are also independently patentable. For example, as recited in claim 5, "a service provider previously analyzes items considered by a service user based on a past search history and a past purchase history of the service user, and the service provider determines the data sending rank in accordance with the analyzed items". The '502 method does not teach or suggest an online shopping method where "the service provider determines data sending rank" (claim 5) based on which "each article picture data is successively sent" (claim 1 upon which claim 5 depends).

Therefore, withdrawal of the rejection is respectfully requested.

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NEW CLAIMS:

New claim 21 is added to emphasize that the online shopping method of the present invention includes "assigning a data sending rank relating at least one feature of an article to at least one feature of other articles and generating article picture arrangement data having article pictures similar to each other disposed at close positions" and "successively displaying the article picture arrangement data responsive to an article search request from a user in accordance with the data sending rank". This enables "an article picture with a higher data sending rank is displayed earlier than an article picture with a lower data sending rank".

New claim 22 is added to recite an online shopping method including "receiving an article search request from a user and ranking article search results responsive to the article search request based on similarity" and "displaying article images of the article search results in accordance with the ranking". Accordingly, the present invention enables an online shopping method that displays picture data of articles selectively such that a user does not unnecessary spend time navigating through search results.

In contrast, the '502 method randomly displays pictures of products and does not teach or suggest, "successively displaying the article picture arrangement data responsive to an article search request from a user in accordance with the data sending rank" and "ranking article search results responsive to the article search request based on similarity", as recited in new claims 21 and 22, respectively.

For at least the above-mentioned reasons, it is respectfully asserted that new claims 21 and 22 are patentably distinguishable over the cited reference.

CONCLUSION:

In accordance with the following, claims 19 and 20 have been amended and new claims 21 and 22 have been added. Claims 11-16 remain cancelled. Thus, claims 1-10 and 17-22 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with the filing of this Amendment, please

charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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